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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,757	06/18/2001	David Guedalia	205,213	1733

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EXAMINER

GAUTHIER, GERALD

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 02/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/883,757

Applicant(s)

GUEDALIA ET AL.

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) 8 and 17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. **Claims 8 and 17** are objected to because of the following informalities: **Claims 8 and 17** are duplicated. Correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-19** are rejected under 35 U.S.C. 102(e) as being anticipated by Saylor et al. (US 6,501,832).

Regarding **claim 1**, Saylor discloses a voice code registration system (column 1, lines 14-21), (which reads on claimed “a VoiceXML interpreting system” including a VoiceXML Interpreter (66 on FIG. 3) comprising:

a Fetcher (36 on FIG. 2) operative to retrieve documents (column 18, lines 52-54) [The Vpage menu module presents menu options to the user];

a compiler (66 on FIG. 3) operative to compile documents retrieved by the Fetcher (column 21, lines 20-23) [The interpreter is provided for compiling XML-based voice content such as VoiceXML]; and

a cache (50 on FIG. 3) which stores compiled documents compiled by the compiler (column 21, lines 31-35) [The files are transferred to the Vpage server and stored on a database].

Regarding **claim 2**, Saylor discloses a Storage Device, which stores state information, related to execution of the compiled documents (column 20, lines 61-67).

Regarding **claims 3, 6 and 15**, Saylor discloses a backup VoiceXML Interpreter communicating with the Storage Device (column 18, lines 59-65).

Regarding **claims 4, 7 and 16**, Saylor discloses wherein the Storage Device comprises a memory database external to the VoiceXML Interpreter and to the backup Interpreter (column 20, lines 61-67).

Regarding **claim 5**, Saylor discloses a voice code registration system (column 1, lines 14-21), (which reads on claimed “a VoiceXML interpreting system”) comprising:

a Fetcher (36 on FIG. 2) operative to retrieve documents (column 18, lines 52-54) [The Vpage menu module presents menu options to the user]; and

a Storage Device (50 on FIG. 3) which stores state information related to execution of the documents (column 21, lines 31-35) [The files are transferred to the Vpage server and stored on a database].

Regarding **claims 8 and 17**, Saylor discloses a voice code registration system (column 1, lines 14-21), (which reads on claimed “VoiceXML interpreting system”) comprising:

a communication device (16 on FIG. 1);

telephony hardware (column 14, line 13 “telephones”) communicating with the communication device (column 14, lines 10-14);

a switchboard (12 on FIG. 1) communicating with the telephony hardware (column 14, lines 8-10);

a VoiceXML Interpreter (66 on FIG. 3) communicating with the switchboard (column 21, lines 20-23) [The interpreter is communicating with the voice network access provider]; and

an object module (36 on FIG. 2) communicating with the at least one of the telephony hardware, switchboard and VoiceXML Interpreter (column 18, lines 52-65)

[The Vpage menu module is communicating to the telephone to be presented to the user].

Regarding **claims 9 and 18**, Saylor discloses wherein the object module comprises a dynamically loadable library (column 27, line 64 to column 28, line 24).

Regarding **claims 10 and 19**, Saylor discloses wherein the dynamically loadable library is operative to allocate telephone resources (column 27, line 64 to column 28, line 24).

Regarding **claim 11**, Saylor discloses a voice code registration method (column 1, lines 14-21), (which reads on claimed "VoiceXML interpreting method including VoiceXML interpreting") comprising:

retrieving documents (column 18, lines 52-54) [The Vpage menu module presents menu options to the user];

compiling retrieved documents (column 21, lines 20-23) [The interpreter is provided for compiling XML-based voice content such as VoiceXML]; and

caching compiled documents compiled by the compiler (column 21, lines 31-35) [The files are transferred to the Vpage server and stored on a database].

Regarding **claim 12**, Saylor discloses storing state information related to execution of the compiled documents (column 18, lines 45-65).

Regarding **claim 13**, Saylor discloses employing a backup VoiceXML Interpreter for receiving stored state information (column 20, lines 61-67).

Regarding **claim 14**, Saylor discloses a voice code registration method (column 1, lines 14-21), (which reads on claimed "VoiceXML interpreting method") comprising:
retrieving documents (column 18, lines 52-54) [The Vpage menu module presents menu options to the user]; and
storing state information related to execution of the documents (column 21, lines 31-35) [The files are transferred to the Vpage server and stored on a database].

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ladd et al is cited for a voice browser for interactive services (FIG. 3).


Wesemann et al. is cited for a voice interface for electronic documents (FIG. 3).

Burg et al. is cited for a web-based generation of telephony-based IVR (FIG. 1).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


g.g.
February 19, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
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